

## **EXHIBIT A**

**From:** STEPHEN F. ROSENTHAL <[SROSENTHAL@podhurst.com](mailto:SROSENTHAL@podhurst.com)>  
**Sent:** Wednesday, October 24, 2018 11:04 AM  
**To:** [strawbridge chambers@paed.uscourts.gov](mailto:strawbridge_chambers@paed.uscourts.gov)  
**Subject:** Fwd: NFL - Subclass 2 Representative Affidavit - Corrections from Chie

Begin forwarded message:

**From:** Gina Palacio <[GPalacio@PODHURST.com](mailto:GPalacio@PODHURST.com)>  
**Date:** October 24, 2018 at 10:49:45 AM EDT  
**To:** "STEPHEN F. ROSENTHAL" <[SROSENTHAL@podhurst.com](mailto:SROSENTHAL@podhurst.com)>, "STEVEN C. MARKS" <[SMARKS@PODHURST.com](mailto:SMARKS@PODHURST.com)>, "MATT P. WEINSHALL" <[MWeinshall@PODHURST.com](mailto:MWeinshall@PODHURST.com)>  
**Subject:** NFL - Subclass 2 Representative Affidavit - Corrections from Chie

Below is email with Affidavit corrections from Chie

Gina C. Palacio, F.R.P.  
Sr. Certified Paralegal  
**Podhurst Orseck, P.A.**  
Tel: (305) 358-2800  
Fax: (305) 358-2382  
Email: [gpalacio@podhurst.com](mailto:gpalacio@podhurst.com)

**From:** Chie Smith <[chiesmith@ymail.com](mailto:chiesmith@ymail.com)>  
**Sent:** Tuesday, April 12, 2016 5:25 PM  
**To:** [GPalacio@PODHURST.com](mailto:GPalacio@PODHURST.com)  
**Subject:** Re: NFL - Subclass 2 Representative Affidavit

Hi Gina,

Here are the corrections.

1. Played for the Los Angeles Raiders not Oakland
2. Beginning about 2000 he started experiencing symptoms
3. Hospitalized numerous times due to infections not because of dehydration and pneumonia.

Everything else is correct.

Chie

On Tuesday, April 12, 2016 3:44 PM, Gina Palacio <[GPalacio@PODHURST.com](mailto:GPalacio@PODHURST.com)> wrote:

Hi Steve and Chie,

I am working on putting together your Affidavit. Below is a draft of the first few paragraphs which contain more personal information. Please review these paragraphs and make any corrections, additions, changes or comments you feel are necessary.

If you have any questions or need any additional information, please give me a call.

Thank you.

STATE OF TEXAS :

COUNTY OF COLLIN:

I, Steven Anthony Smith, being duly sworn according to law, depose and state as follows:

1. I am a citizen of the State of Texas and I reside in Richardson, Texas. I have been married to Chie T. Smith since December 1989 and we have two children. My son Dante is 25 years old and my daughter Jazmin is 24 years old. They also reside in Richardson, Texas. I am a retired NFL football player. I played professional football in the NFL from 1987 to 1993 for the Oakland Raiders and from 1994 to 1995 for the Seattle Seahawks as a fullback. In July 2002, I was diagnosed with Amyotrophic Lateral Sclerosis ("ALS"). I submit this Affidavit in support of final approval of the Class Action Settlement ("Settlement") dated June 25, 2014 between the Plaintiff Class and Defendants National Football League and NFL Properties, LLC (collectively, the "NFL Parties") and certification of the Class and Subclasses.

2. Beginning about \_\_\_\_\_, I started noticing twitching and weakness in my hands, neck and arms. The twitching and weakness gradually spread to whereby it became increasingly difficult to hold a razor to shave, lift a glass to drink, or eat. In July 2002, I was diagnosed with ALS, also referred to as Lou Gehrig's disease.

3. As the disease has progressed, my quality of life has been increasingly impaired; robbing me of muscle movement, motor function and my ability to speak. I no longer am able to feed myself, brush my teeth, shave, bathe or dress myself and require round-the-clock assistance. I have been hospitalized numerous times and, due to severe dehydration and pneumonia. I breathe through a ventilator, receive nutrients through a feeding tube and communicate with my eyes via a state-of-the-art computer system.

4. As a father, one of the most difficult things I have had to face was telling my children that I was diagnosed with this fatal, incurable disease and knowing that I may not be able to be there for them in the future to offer the support and care they will need. I have participated in various research studies in an effort to slow down the progress of this disease and to hopefully assist in finding a cure, which realistically may not come in time for me. So for my family, my countless brothers who are suffering from serious neurocognitive symptoms, and myself, it is imperative that we receive help now.

5. On January 20, 2012, I filed a complaint, through my attorney Steve Marks of Podhurst Orseck, PA, against the NFL Parties in the United States District Court for the Southern District of Florida (*Jones, et al. v. National Football League*, Case No. 1:11-cv-24594-JEM). That action was transferred to this MDL on February 14, 2012. Thereafter, on July 12, 2012, I filed a Short Form Complaint against the NFL Parties. In that complaint, I incorporated by reference the allegations of the Master Administrative Long-Form Complaint and specifically alleged that I sustained repetitive, traumatic sub-concussive and/or concussive head impacts during NFL games and/or practices, and that I suffer from symptoms of brain injury caused by these head impacts.

6. Throughout these proceedings, I have followed the litigation closely. My wife and I have had countless meetings, telephone conferences and email exchanges with my counsel Steve Marks about the status of proceedings.

Gina C. Palacio, F.R.P.  
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